

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

THE FARMWORKER ASSOCIATION OF  
FLORIDA INC., *et al.*,

Plaintiffs,

v.

RONALD D. DESANTIS, in his official capacity as  
Governor of the State of Florida, *et al.*,

Defendants.

Case No. 23-CV-22655-RKA

**PLAINTIFFS' MOTION TO SCHEDULE A HEARING ON PLAINTIFFS  
PRELIMINARY INJUNCTION MOTION**

Plaintiffs respectfully request that the Court schedule argument to the extent that it would assist the court in resolving the pending Second Motion for Preliminary Injunction. *See* ECF No. 30. Plaintiffs' counsel has conferred with Defendants' counsel regarding this Motion and Defendants Attorney General Moody and Statewide Prosecutor Cox "take no position on this motion and defer to the judgment of the Court." Defendant Governor DeSantis joins the Attorney General and Statewide Prosecutor's position. As of the time of this filing, Plaintiffs have not heard back from counsel for the State Attorneys or Defendant State Attorney Melissa W. Nelson.

This action challenges the constitutionality of Section 10 of Senate Bill 1718 ("SB 1718"), Ch. 2023-40, Laws of Fla. ("Section 10"). Plaintiffs' Second Motion for Preliminary Injunction was fully briefed as of September 22, 2023. *See* ECF No. 67. Plaintiffs are aware that arrests under Section 10, which went into effect on July 1, have already occurred, and, as set forth in Plaintiffs' preliminary injunction filings, the law is chilling travel and imposing serious harms on Plaintiffs and numerous other individuals throughout the State. *See* ECF Nos. 30, 67.

To the extent oral argument would assist the Court in resolving the pending motion, and particularly in light of the upcoming holiday season, Plaintiffs respectfully request that argument be scheduled at the Court's earliest convenience.

Dated: November 3, 2023

Respectfully submitted,

/s/ Paul R. Chavez

*On behalf of Attorneys for Plaintiffs*

Evelyn Wiese (CA Bar No. 338419)\*  
AMERICANS FOR IMMIGRANT JUSTICE  
6355 NW 36 Street, Suite 2201  
Miami, FL 33166  
(305) 573-1106  
ewiese@aijustice.org

Katherine Melloy Goettel (IA Bar No. 23821)\*  
Emma Winger (MA Bar No. 677608)\*  
AMERICAN IMMIGRATION COUNCIL  
1331 G St. N.W., Suite 200  
Washington, DC 20005  
(202) 507-7552  
kgoettel@immcouncil.org  
ewinger@immcouncil.org

Daniel B. Tilley (FL Bar No. 102882)  
ACLU Foundation of Florida, Inc.  
4343 West Flagler Street, Suite 400  
Miami, FL 33134  
(786) 363-2700  
dtilley@aclufl.org

Amien Kacou (FL Bar No. 44302)  
Maite Garcia (FL Bar No. 99770)  
ACLU Foundation of Florida, Inc.  
4023 N. Armenia Avenue, Suite 450  
Tampa, FL 33607  
(813) 288-8390  
akacou@aclufl.org  
mgarcia@aclufl.org

*Attorneys for Plaintiffs*

\*Admitted Pro hac vice

Anne Janet Hernandez Anderson (FL Bar No. 0018092)  
Paul R. Chavez (FL Bar No. 1021395)  
Christina Isabel LaRocca (FL Bar No. 1025528)  
Felix A. Montanez (FL Bar No. 0102763)  
Cassandra Charles (NY Bar No. 5540133)\*  
SOUTHERN POVERTY LAW CENTER  
2 South Biscayne Blvd., Suite 3750  
Miami, FL 33131-1804  
(786) 347-2056  
aj.hernandez@splcenter.org  
paul.chavez@splcenter.org  
christina.larocca@splcenter.org  
felix.montanez@splcenter.org  
cassandra.charles@splcenter.org

Cody Wofsy (CA Bar No. 294179)\*  
Spencer Amdur (CA Bar No. 320069)\*  
ACLU Immigrants' Rights Project  
39 Drumm Street  
San Francisco, CA 94111  
(415) 343-0770  
cwofsy@aclu.org  
samdur@aclu.org

Omar Jadwat (NY Bar No. 4118170)\*  
ACLU Immigrants' Rights Project  
125 Broad Street, 18th Floor  
New York, NY 10004  
(212) 549-2660  
ojadwat@aclu.org

**CERTIFICATE OF SERVICE**

I hereby certify on November 3, 2023, I electronically filed the foregoing with the Clerk of Court via the CM/ECF system. I further certify that a true and correct copy of the foregoing and all supporting attachments were served on all parties of record via CM/ECF, e-mail, or U.S. Mail as described in the Service List below on November 3, 2023.

*s/ Paul R. Chavez*

Paul R. Chavez

FL Bar No. 1021395

SOUTHERN POVERTY LAW CENTER

2 South Biscayne Blvd., Suite 3750

Miami, FL 33131-1804

(786) 347-2056

paul.chavez@splcenter.org

**SERVICE LIST**

James Percival  
Henry C. Whitaker  
Natalie P. Christmas  
Joseph E. Hart  
Office of the Attorney General  
PL-01 The Capitol  
Tallahassee, FL 32399-1050  
E-mail: james.percival@myfloridalegal.com  
henry.whitaker@myfloridalegal.com  
natalie.christmas@myfloridalegal.com  
joseph.hart@myfloridalegal.com  
Tel.: (850) 414-3300  
*Counsel for Defendants Attorney General Ashley Moody  
and Statewide Prosecutor Nicolas Cox  
Via CM/ECF*

Ryan D. Newman  
Nicholas J.P. Meros  
Samuel F. Elliot  
Executive Office of the Governor  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-000  
E-mail:  
ryan.newman@eog.myflorida.com  
nicholas.meros@eog.myflorida.com  
samuel.elliott@eog.myflorida.com  
Tel.: (850) 717-9305  
*Via CM/ECF*

Buddy Jacobs  
Jacobs Scholz & Wyler, LLC  
961687 Gateway Blvd., Suite 201-I  
Fernandina Beach, FL 32034  
E-mail: buddy@jswflorida.com  
Tel.: (904) 261 3693  
*Via E-mail and U.S. Mail*

Melissa W. Nelson  
Office of the State Attorney  
4th Judicial Circuit  
Ed Austin Building  
311 West Monroe Street  
Jacksonville, FL 32202  
E-mail: mwnelson@coj.net  
Tel.: 904-255-2500  
*Via E-mail and U.S. Mail*